

## REMARKS

### Status of the Claims

- Claims 1-3, 5-12 and 26-29 are pending in the Application after entry of this amendment.
- Claims 1-3, 5-12 and 26-29 are rejected by Examiner.
- Claims 1 and 26 is amended.

### Claim Rejections Pursuant to 35 U.S.C. §112

Claim 26 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Office Action dated 11/1/06 states that the claim recites in lines 6-7 "...according to that which lead to the feedback" and it is not clear to the Examiner what the intent of this part of the limitation is.

Applicant amends Claim 26 to remove the phrase "...according to that which lead to the feedback" and replace it with the phrase "...in a context of the search that is performed." Applicant finds support for this amendment in paragraph 0043 of the as-filed specification. Applicant respectfully request withdrawal of the 35 U.S.C. §112 rejection of Claim 26.

### Claim Rejections Pursuant to 35 U.S.C. §103 (a)

Claims 1-3, 9-12, 26-27, and 29 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries). Applicant respectfully traverses the rejection.

Applicant submits that the cited art of Biebesheimer operates in a fashion that uses historical user interactions as part of a scheme which can generate a response set that are most relevant to a user's query. This differs from the invention expressed in amended Claim 1 where a context-dependent evaluation of search results acquired during the single search session is conducted, where the evaluation is based at least in part on the determined context data and the determined user feedback data acquired during the single search session. Applicant amends independent Claim 1 to indicate that the evaluation is conducted based on the data acquired during the single search session conducted by the user. Applicant finds

support for this amendment in the many references to one session and the data recording therein in paragraphs 0043 (“In this way, the user feedback can be used to evaluate the quality of the search mechanism in the context of *the search performed.*”), paragraph 0044 (“The state machine 225 works to detect the contours of a search session - when it starts, when it finishes, and what occurs *during the search session.*”), and paragraph 0046 (“The state machine first detects that *a search session has been started* (for example, by browsing with browser 200 to a page with search capabilities and then entering a search). *The state machine tracks the progress of one search*, which may consist of one query or a number of queries.).

Biebesheimer teaches:

“[0018] According to the invention, there is provided a system and method for Adaptive Indexing and lookup for a customer self service system that performs resource search and selection and includes a resource library having selectable resources. The method includes steps of: receiving a current user query for requesting resources; receiving a user context vector associated with the current user query, the user context vector comprising data associating an interaction state with the user; mapping each user query and associated context vector to a sub-set of resources from the resource library; and, *generating a response set* including the sub-set of resources that are most relevant to the user's query.” (paragraph 0018)

Thus, the purpose of Biebesheimer is to generate a result set and does not focus on performing a context-dependent evaluation of the result set. Biebesheimer also teaches that historical or past user interactions are used to help determine the degree of fit of the results to in the user's context. Biebesheimer teaches:

“[0030] Particularly, as shown in FIG. 1, the self service system provides a three-part intuitive iconic interface comprising interface components 12, 22 and 32 for visualizing and exploring the set of resources that the system has found to match the user's initial query and related subject and context variables. The system 10 preferably enables the expression of a user's context as part of the query and expresses the relevance of the results to a particular user via the interface in terms beyond that of the results' content. The resource set is presented to the user in a way which clearly

illustrates their degree of fit with the user's most important context variables, *as indicated by their prior usage of the system*, as well as by context choices for the current query.” (paragraph 0030)

Biebesheimer teaches the use of “User Interaction Records” which stores historical user interaction records which are used in the process for present and future use.

Biebesheimer teaches in paragraphs 0035, 0042, and 0050:

“[0035] Particularly, the Classifying User Contexts sub-process 24, receives as input the user query and the raw context vector 25 and External User Data 11, *and processes these against the User Interaction records 19 for this user/user group*, data from the Context Attributes Master 14 and Attribute Value Functions 16. The system classifies this specified user interaction state and annotates the context vector 25' with a complete set of context parameters *for use in subsequent processing*.”

“[0042] Preferably, the adaptive indexing algorithm 285, is an offline process, employed to try out several functions against an amount, *e.g., a months worth, of User Interaction Records 19*, for example, and output the best Instantiated Resource Indexing Functions 27' that may be used in processing specific queries via a Resource Lookup sub-process 288.”

“[0050] As the user works with the system, particularly through the Results Display Workspace 32 and the Detail Specification Workspace 22 *his/her interactions are captured and stored in the User Interaction Records database 15*. Thus, in addition to the user query, context vector and response data set, *the system retains adjustments to user context*, results display manipulation, and results viewing and selection behavior 51.” (paragraphs 0035, 0042, and 0050).

Applicant concludes that Biebesheimer uses historical interaction data from past sessions and users in its process to deliver a results set that has the highest possible user relevance. This contrasts with amended Claim 1 which performs a context-dependent evaluation of the results of a search engine acquired during the search session, the evaluation

based at least in part on the determined context data and the determined user feedback data acquired during the single search session. Thus, whereas Biebesheimer relies on past user interaction records to produce a high relevance result set for a query, Claim 1 produces an evaluation where only the data acquired during the particular search session is used. Thus, no prior data from user interactions is used in amended Claim 1.

Fries is a system which assists a user in conducting a search. Fries teaches:

“The present invention is a web companion that assists a searcher of Intranets and the Internet by providing suggestions as to where the user should search and how they should construct their query. Many of the suggestions made by the web companion are based on a search goal that the web companion identifies from the user's query. By attempting to define the user's search goal, the web companion is able to be more precise, and thus more helpful, in the suggestions it makes to the searcher.” (col. 2 lines 11-28.)

Thus Fries is focused upon successful conduct of a search itself via the use of a web companion. In addition, Fries teaches the use of past data in the conduct of the search. Fries teaches:

“The present invention provides a web companion that acts as an interactive searching aid for searching a computer environment, especially an environment that includes an Intranet or the Internet. The web companion is interactive in the sense that it provides the user with searching options *based on the search query provided by the user and previous searching options the user has selected*. Some of the options provided by the web companion are possible search goals that the user may have, such as a person's e-mail address, or photographs of a celebrity. If the user selects one of the goals, the web companion can automatically select an appropriate search area and/or adjust the user's search query to improve the likelihood that the user will find what they are looking for.” (col. 5 lines 52-65)

Thus, Applicant concludes that Fries, fails to teach the amended Claim 1 element of performing a context-dependent evaluation of the results of the search engine

acquired during the search session, the evaluation based at least in part on the determined context data and the determined user feedback data acquired during the single search session.

Since neither Biebesheimer nor Fries thoroughly teaches all elements of amended Claim 1, then the combination of Biebesheimer and Fries cannot render obvious amended Claim 1 under 35 U.S.C. §103(a) via MPEP §2143.03. Specifically the combination of Biebesheimer and Fries fails to teach performing a context-dependent evaluation of the results of the search engine acquired during the search session, the evaluation based at least in part on the determined context data and the determined user feedback data acquired during the single search session as recited in amended Claim 1. Accordingly, amended independent claim 1 and its dependent claims patentably define over the cited art. Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claims 1-3, 9-12, 26-27, and 29.

**Claim Rejections Pursuant to 35 U.S.C. §103 (a)**

Claims 5-8 and 17-20 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries) in further view of <http://WhatIs.techtarget.com>. Applicant respectfully traverses the rejection based at least on the dependence of Claims 5-8 and 17-20 on patentably distinct Claim 1. Also, <http://WhatIs.techtarget.com> fails to teach performing a context-dependent evaluation of the results of the search engine acquired during the search session, the evaluation based at least in part on the determined context data and the determined user feedback data acquired during the single search session as recited in amended Claim 1. Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claims 5-8 and 17-20.

**Claim Rejections Pursuant to 35 U.S.C. §103 (a)**

Claim 28 stands rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0152190 to Biebesheimer et al. (Biebesheimer) view of U.S. Patent No. 6,751,606 to Fries et al. (Fries) in further view of U.S. Patent No. 6,438,579 to Hosken. Applicant respectfully traverses the rejection based at least on the dependence of Claim 28 on patentably distinct Claim 1. Also, Hosken fails to teach

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performing a context-dependent evaluation of the results of the search engine acquired during the search session, the evaluation based at least in part on the determined context data and the determined user feedback data acquired during the single search session as recited in amended Claim 1. Applicant respectfully requests withdrawal of the 35 U.S.C. §103 (a) rejection of Claim 28.

**Conclusion**

Applicant respectfully requests reconsideration of the pending claims in light of the amendments and remarks presented above. An early Notice of Allowance for all pending claims is earnestly solicited because the pending claims patentably define over the cited art.

Respectfully submitted,

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